

UNITED STATES COURT OF APPEALS August 12, 2011
FOR THE TENTH CIRCUIT Elisabeth A. Shumaker
Clerk of Court

DERRICK LAVELL WILLIAMS,

Plaintiff - Appellant,

v.

STATE OF WYOMING; TETON
COUNTY; HANK PHIBBS; LELAND
CHRISTENSEN; BEN ELLIS; ANDY
SCHWARTZ; PAUL VOGELHEIM;
TRIPP WILSON; JIM WHALEN, in his
individual and official capacity; TETON
COUNTY JAIL; MATTHEW EVANS;
TROY SUTTON; TIMOTHY C. DAY;
BRIAN E. HULTMAN,

Defendants - Appellees.

No. 11-8041
(D.C. No. 2:10-CV-00048-ABJ)
(D. Wyo.)

ORDER

Before **KELLY, O'BRIEN**, and **TYMKOVICH**, Circuit Judges.

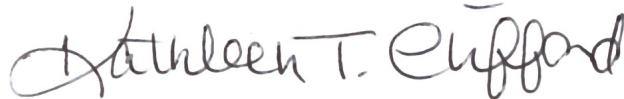
In a January 31, 2011 Order and separate judgment, the district court granted Defendants' motion for summary judgment and dismissed with prejudice Plaintiff's civil rights action. Plaintiff, proceeding *pro se*, appeals. We dismiss. The notice of appeal is untimely.

The time limit for filing a notice of appeal in a civil case is a “jurisdictional requirement.” *Bowles v. Russell*, 551 U.S. 205, 214 (2007). In this case, final judgment was entered by the district court on January 31, 2011. The 30-day deadline for filing a timely notice of appeal expired on March 2, 2011. *See* Fed. R. App. P. 4(a)(1)(A). Plaintiff’s notice of appeal was filed on June 9, 2011, which was 99 days after expiration of the 30-day filing deadline.

Although Plaintiff argues that he did not receive a copy of the January 31, 2011 Order, he was aware of its entry as early as March 21, 2011 when he filed in the district court a “petition” requesting a copy of this order. Copies were again sent to him by the district court. However, Plaintiff did not move in the district court for an extension of time under Rule 4(a)(5) or 4(a)(6) to file a notice of appeal, and this court may not extend the time to file an appeal. *See Brumark Corp. v. Samson Resources Corp.* 57 F.3d 941, 949 (10th Cir. 1995). *Pro se* appellants must comply with the requirements of the Federal Rules of Appellate Procedure that govern all litigants. *See Ogden v. San Juan County*, 32 F.3d 452, 455 (10th Cir. 1994).

This appeal is **DISMISSED** for lack of appellate jurisdiction.

Entered for the Court,
Elisabeth A. Shumaker, Clerk

A handwritten signature in dark ink, reading "Kathleen T. Clifford". The signature is written in a cursive, flowing style.

Kathleen T. Clifford
Attorney - Deputy Clerk